

REPLY UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER 3700

Attorney's Docket No.: 56301P551

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

William F. Polley, et al.

Serial No.: 09/753,355

Filed: December 29, 2000

For: **A METHOD AND AN APPARATUS
FOR FORMING A ONE-PIECE
INTRODUCER**

Examiner: Flynn, A.

Art Group: 3751

12
NDB 6-28-03

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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GROUP 3700

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

In response to the Final Office Action mailed April 24, 2003, in connection with the above referenced patent application, Applicants respectfully request reconsideration in view of the following remarks.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

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FACSIMILE COVER SHEET

Deliver to: Amanda R. Flynn, USPTO

Art Group: 3751

Facsimile No.: (703) 872-9303

Date: June 24, 2003

From: Thomas M. Coester, Reg. No. 39,637

Our Docket No.: 56301P551

Number of pages 11 including this sheet.

Application No.: 09/753,355

Filing Date: 12/29/2000

Docket Due Date(s): 6/24/2003 | 7/24/2003

Enclosed are the following documents:

- ☒ Amendment: After Final

☐ Appeal Brief (in triplicate) (____ pgs)

☐ Application: _____
(____ pgs) w/cover & abstract)

☐ Assignment & Cover Sheet (____ pgs)

☒ Certificate of Facsimile

☐ Continued Prosecution Application (CPA)

☐ Declaration & POA (____ pgs)

☐ Drawings: ____ sheets, ____ figures

☐ Extension of Time: _____

☒ Fee Transmittal (in duplicate)

☐ IDS & PTO/SB/08 (____ pgs)

☐ Other _____

☐ Issue Fee Transmittal

☐ Notice of Appeal

☐ Petition for: _____

☐ Request for Continued Examination (RCE)

☐ Reply Brief (____ pgs)

☐ Request & Certification Under 35 USC 122(b)(2)(B)(i)

☐ Request to Rescind Previous Nonpublication Request

☐ Response to Notice of Missing Parts & Formalities Letter

☐ Response to Written Opinion (____ pgs)

☐ Terminal Disclaimer

☐ Transmittal of Publication Fee Due

☒ Transmittal Letter

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

Lillian E. Rodriguez 06/24/2003
Date

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If you do not receive all the pages, or if there is any difficulty in receiving, please call: (310) 207-3800 and ask for Lillian E. Rodriguez.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	09/753,355
		Filing Date	December 29, 2000
		First Named Inventor	William F. Polley
		Group Art Unit	3751
		Examiner Name	Amanda R. Flynn
Total Number of Pages in This Submission	11	Attorney Docket Number	56301P551

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Facsimile Cover Sheet</div>
Remarks		<div style="text-align: center;"> FAX RECEIVED JUN 24 2003 GROUP 3700 </div>

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Thomas M. Coester, Reg. No. 39,637 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	<i>Thomas Coester</i>
Date	June 24, 2003

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.			
Typed or printed name	Lillian E. Rodriguez	Date	June 24, 2003
Signature	<i>Lillian E. Rodriguez</i>		

Based on PTO/SB/21 (05-03) as modified by Blakely, Sokoloff, Taylor & Zafman (w/1) 05/02/2003
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

JUN 24 2003

GROUP 3700

**FEE TRANSMITTAL
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

0.00

Complete if Known

Application Number	09/753,355
Filing Date	December 29, 2000
First Named Inventor	William F. Polley
Examiner Name	Amanda R. Flynn
Group/Art Unit	3751
Attorney Docket No.	56301P551

METHOD OF PAYMENT (check one)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☒ None

☐ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☒ Credit any overpayments
- ☒ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
- ☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	180	2005	90	Provisional filing fee	
SUBTOTAL (1)					(3)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
15	30*	0	0
Independent Claims	3	5*	0
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple Dependent claim, if not paid	
1204	84	2204	42	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(3) 0.00

*or number previously paid, if greater. For Reissues, 600 below

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	80	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	65	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920 *	1804	920 *	Requesting publication of SIR prior to Examiner action	
1805	1,840 *	1805	1,840 *	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1404	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or release)	
1502	470	2502	235	Design issue fee	
1609	630	2503	315	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1805	180	1808	180	Submission of Information Disclosure Sheet	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	1809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(3)

SUBMITTED BY

Name (Print/Type)	Thomas M. Coester	Registration No. (Attorney/Agent)	39,637	Telephone	(310) 207-3800
Signature	<i>Thomas Coester</i>	Date	06/24/03		

Based on PTO/SB/17 (01-03) as modified by Blakely, Sokoloff, Taylor & Zafman (w/1) 05/02/2003.